

FILED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

07 OCT 16 AM 9:54

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Magistrate Docket No. **07 MJ 2464**

Plaintiff,

BY: *PMZ*

DEPUTY

v.

COMPLAINT FOR VIOLATION OF:

Salvador SANCHEZ-Rodriguez,

Title 8, U.S.C., Section 1326

Deported Alien Found in the

United States

Defendant

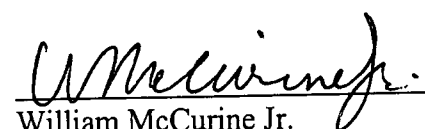
The undersigned complainant, being duly sworn, states:

On or about **October 14, 2007** within the Southern District of California, defendant, **Salvador SANCHEZ-Rodriguez**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
 SIGNATURE OF COMPLAINANT
James Trombley  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 16th DAY OF OCTOBER,  
2007

  
 William McCurine Jr.

UNITED STATES MAGISTRATE JUDGE

WNC

## CONTINUATION OF COMPLAINT:

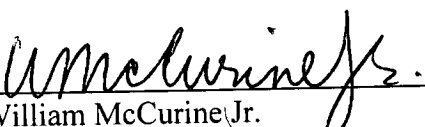
Salvador SANCHEZ-Rodriguez

## PROBABLE CAUSE STATEMENT


On Sunday, October 14, 2007, at approximately 3:00 P.M., Senior Patrol Agent J. Kushon advised Senior Patrol Agent L. Hernandez of a vehicle he had spotted from a highpoint. At about the same time Agent Hernandez was responding to a citizen's report of possible illegal immigrants in the same area. Agent Hernandez later encountered a two-toned maroon and grey Ford pick-up that matched the description of the vehicle SPA Kushon had reported on earlier driving eastbound on State Route 94, it soon turned north onto Buckman Spring's Road. Agent Hernandez observed this vehicle driven by an individual later identified as Phillip Arthur Troxtell pull into a residence off of Buckman Spring's road in Campo, California. As soon as Troxtell stopped the vehicle, Agent Hernandez pulled in behind the vehicle. Troxtell exited his vehicle and began walking towards her. Agent Hernandez identified herself as US Border Patrol Agent and advised Troxtell to return to his vehicle. Agent Hernandez then observed a human head "pop up" from the bed of the truck, and saw two individuals concealing themselves in the cab. The truck bed was covered by a camper top. Seven individuals were discovered attempting to conceal themselves underneath the camper. Agent Hernandez separated Troxtell from the rest of the occupants in the vehicle. Agent Hernandez again identified herself as a United States Border Patrol Agent and unloaded the remaining occupants. All individuals in the vehicle were questioned individually as to their citizenship and nationality. All the occupants, including one later identified as the defendant **Salvador SANCHEZ-RODRIGUEZ**, stated they were citizens and nationals of Mexico present without the proper immigration documents. All the individuals were arrested and transported to the Tecate, California Border Patrol Sub-station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **December 19, 2003** through **Otay Mesa, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda rights in the Spanish language. The defendant stated that he understood his rights and was willing to make a statement without an attorney present. During the interview, the defendant admitted to being a citizen and national of Mexico. He also stated that he does not have any legal immigration documents to be in or remain in the United States. The defendant stated that he was enroute to the state of Washington to seek employment.

  
William McCurine Jr.  
UNITED STATES MAGISTRATE JUDGE

10/16/07, 0926 hrs  
Date/Time

  
SIGNATURE OF COMPLAINANT  
James Trombley